

REMARKS

Claims 1-41 are pending in this application, of which claims 12-21 have been withdrawn from consideration. Reconsideration of the rejections in view of these amendments and the following remarks is respectfully requested.

Rejections under 35 USC §102(b)

Claims 1, 2, 4-11, 22-41 were rejected under 35 USC §102(b) as being anticipated by figure 12 of the acknowledged prior art (APA).

Claims 1, 3-11, 22, 24-41 were rejected under 35 USC §102(b) as being anticipated by Koga (U.S. Patent No. 5,727,008).

Applicant respectfully traverses these rejections.

In response to Applicant's argument, the Examiner noted as follows:

. . . it is clear that in (APA) or Koga, the directions of the front facet and the rear facet of the cavity can be distinguished by the shape or arrangement of at least one of the two electrodes. One of ordinary skill in the art would be able to distinguish the directions of the front facet and the rear facet of the cavity based on the shape or arrangement of at least one of the two electrodes in (APA) or Koga since the front facet and the rear facet are structurally arranged around the area of at least one of the two electrodes therein. Furthermore, **“front” and “rear” are arbitrary labels** and facets of the prior art can be so labeled. The descriptive language in the claims does not structurally distinguish the claims over the prior art applied.

Claim 1 has been amended to recite “said front facet emitting a larger amount of light than said rear facet” and “wherein at least one of said first and second ohmic electrodes is formed in such [[a]] an asymmetrical shape or arrangement that ~~the directions of the front facet and the rear~~

facet of said cavity of said nitride based semiconductor layer can be distinguished.” Similarly, claim 22 has been amended to recite “said front facet emitting a larger amount of light than said rear facet” and “wherein at least one electrode of said first and second ohmic electrodes is formed in such [[a]] an asymmetrical shape or arrangement that the directions of the front facet and the rear facet of said cavity of said nitride based semiconductor layer can be distinguished.”

Thus, the “front facet” and the “rear facet” have been definitely defined and these labels are no longer arbitrary.

Neither APA nor Koga teaches or suggests recitations of the present amended claims. In APA, as shown in Fig. 12 of the present drawing, the n electrode 60 and the p electrode 61 both have square or rectangular shape. The ohmic electrodes are NOT formed in such an asymmetrical shape or arrangement that the front facet and the rear facet can be distinguished. Instead, the ohmic electrodes of APA are formed in a shape and arrangement where the front facet side and the rear facet side are symmetrical.

Also, in Fig. 8 of Koga, the shape of the n-side electrode 21 is identical to that of the p-side electrode 20. Also, in Fig. 7 of Koga, although the p-side electrode extends along the direction of the cavity length, the ohmic electrode is formed in such a shape and arrangement that a front facet side is symmetrical with a rear facet side. Thus, the forward and backward directions along the cavity length cannot be distinguished by the shape or arrangement of these electrodes.

In contrast, according to the present invention, as shown in Figs. 1, 3, 5, 7 and 9, at least one of said first and second ohmic electrodes is formed in such an asymmetrical shape or arrangement that the front facet and the rear facet of said cavity of said nitride based semiconductor layer can be distinguished. Thus, the forward and backward directions along the cavity length of the nitride

based semiconductor layer can be distinguished by the shape or arrangement of at least one of the electrodes.

For at least these reasons, claims 1 and 22 patentably distinguish over APA and Koga. Claims 2-11, depending from claim 1, also patentably distinguish over APA and Koga for at least the same reasons. Claims 23-31 depending from claim 22, also patentably distinguish over APA for at least the same reasons.

Claim 32 also recites "said front facet emitting a larger amount of light than said rear facet" and "wherein said second ohmic electrode is protruded from a region where said first ohmic electrode is formed when said nitride based semiconductor laser device is observed from the side of said nitride based semiconductor layer, and said first ohmic electrode is protruded from a region where said second ohmic electrode is formed when said nitride based semiconductor laser device is observed from the side of said transparent substrate." Thus, it becomes possible to distinguish the forward and backward directions of the nitride based semiconductor laser device by observing from the side of the transparent substrate.

APA and Koga do not teach or suggest such specific recitations. For at least these reasons, claim 32 patentably distinguishes over APA and Koga. Claims 33-41, depending from claim 32, also patentably distinguish over APA and Koga for at least the same reasons.

In a conventional semiconductor laser device, the forward and backward directions are distinguished in accordance with reflectance of a dielectric film formed on each of the front facet and the rear facet of a cavity, and thus, this way of distinction is difficult and is also time-consuming. In contrast, a nitride based semiconductor laser device of the present application has the above-described structure which facilitates the distinction between the forward and

Application No. 09/888,419
Amendment dated July 27, 2004
Reply to Office Action of March 29, 2004

backward directions, leading to a special effect that the forward and backward directions can be distinguished without any dielectric film.

Thus, the 35 USC §102(b) rejections should be withdrawn.

It is submitted that nothing in the cited references, taken either alone or in combination, teaches or suggests all the features recited in each claim of the present invention. Thus all pending claims are in condition for allowance. Reconsideration of the rejections, withdrawal of the rejections and an early issue of a Notice of Allowance are earnestly solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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